

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
STEVEN E. SMITH,)
)
Complainant,)
-vs-)
) No. 14-0445
PEOPLES GAS LIGHT AND COKE)
COMPANY)
Respondent.)
)
Complaint as to inaccurate)
billing in Chicago, Illinois.)

Chicago, Illinois
November 5, 2014

Met pursuant to notice at 11:00 a.m.

BEFORE:
BONITA A. BENN, Administrative Law Judge.

1 APPEARANCES:

2 MR. STEVEN E. SMITH
3 12420 South Eggleston Avenue
4 Chicago, Illinois 60628

5 Appearing pro se;

6 INTEGRYS BUSINESS SUPPORT, LLC, by
7 MR. KOBY A. BAILEY
8 130 East Randolph Street
9 Chicago, Illinois 60601
10 (312) 240-4081

11 Appearing on behalf of the Respondent.

12

ALSO PRESENT:

13 MS. DIANE HARRIS, PEOPLES GAS LIGHT and COKE COMPANY

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15 SULLIVAN REPORTING COMPANY, by
16 Brad Benjamin, CSR
17 License No. 084-004805

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
NONE					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
NONE SO MARKED		
OR ADMITTED.		

1 JUDGE BENN: Pursuant to the direction of the
2 Illinois Commerce Commission I now call Docket No.
3 14-0445. This is Steven E. Smith versus Peoples Gas
4 Light and Coke Company, a Complaint as to inaccurate
5 billing in Chicago, Illinois.

6 May I have the Complainant introduce
7 himself for the record with his name and address.

8 MR. STEVEN E. SMITH: My name is Steven E.
9 Smith, I live at 12420 South Eggleston, Chicago,
10 Illinois 60628.

11 JUDGE BENN: And Counsel for Peoples Gas,
12 please.

13 MR. BAILEY: Koby Bailey on behalf of the
14 Peoples Gas Light and Coke Company. 200 East
15 Randolph, Chicago, Illinois, (312) 240-4081.

16 JUDGE BENN: Okay. This matter was continued
17 for another prehearing conference in an effort to try
18 to determine the actual functioning and usage of the
19 actual meter in question in this Complaint.

20 It's my understanding that Peoples Gas
21 did take the opportunity to test the actual meter at
22 the standard testing levels of 20 percent and

1 100 percent, and have determined that the meter is
2 functioning correctly. However, at the last status
3 hearing, pursuant to the transcript, Mr. Smith's
4 understanding was that the meter would be tested
5 under simulated winter conditions, which may or may
6 not necessarily be a hundred percent depending on
7 either side of this Complaint.

8 Therefore, on the -- we've had a
9 conversation today about Peoples Gas going back and
10 trying to find out if the Engineering Department can
11 test the actual meter in question at a simulated
12 winter day, based on Mr. Smith's usage from the
13 winter of 2014.

14 MR. BAILEY: Uh-huh.

15 JUDGE BENN: And you're going to try to test
16 the meter at that rate.

17 MR. BAILEY: Right.

18 JUDGE BENN: And then calculate a simulated
19 bill to compare to his actual bill to try to arrive
20 at some determination as to whether the meter was
21 functioning properly in relation to what bill
22 Mr. Smith paid for the last winter.

1 MR. BAILEY: Right. Right. So -- and your
2 Honor, if I may --

3 JUDGE BENN: Sure. Go ahead --

4 MR. BAILEY: -- just to be absolutely clear for
5 the record --

6 JUDGE BENN: -- and I will give you the
7 opportunity to respond.

8 MR. BAILEY: -- we'll take a -- for instance, a
9 January billing period from 2014 -- Mr. Smith's 2014
10 January billing period, which will give us an amount
11 of therms, we will take those amount of therms,
12 divide them by the days, divide them by the
13 particular hours to create an average therm usage
14 that will be applied to the flow through the meter
15 and, assuming that the meter shop can perform all
16 those roles, that will be our result --

17 JUDGE BENN: Your position.

18 MR. BAILEY: -- and then we'll go through and
19 do the bill analysis from there.

20 MR. STEVEN E. SMITH: Let's take -- you have
21 the history -- you have my gas bill history. Take
22 the highest -- why not just take the highest bill

1 that I have -- which you have, which is the highest
2 therms and the highest rate?

3 MR. BAILEY: Which is which month?

4 MR. STEVEN E. SMITH: I can't tell you, you
5 have the history of it over there. You can take
6 whichever one it is -- whichever one's the highest
7 for that month, take that, put it on the meter, and
8 that will give us -- that way we're at the highest of
9 whatever the bill was we'll have what the situation
10 was.

11 JUDGE BENN: Okay.

12 MR. STEVEN E. SMITH: The rate and --

13 MR. BAILEY: The highest billing period. Okay.

14 MR. STEVEN E. SMITH: Yes.

15 JUDGE BENN: Okay. And so noting for the
16 record that Mr. Smith is asking People's Gas to use
17 the highest monthly usage from winter 2014 to perform
18 this calculation.

19 Is there anything else for the record
20 from you, Mr. Smith?

21 MR. STEVEN E. SMITH: No.

22 JUDGE BENN: Okay. I'll just let them finish

1 that then and we'll close this up.

2 (A discussion was held off
3 the record.)

4 JUDGE BENN: Put that on the record, what is
5 it?

6 MS. DIANE HARRIS: It would have been between
7 the period of December 17th, 2013, to January 20th,
8 2014. At that time 564.99 therms were used and the
9 bill was \$500.22.

10 JUDGE BENN: Okay. And I'm just going to ask
11 you to state your name because --

12 MS. DIANE HARRIS: Diane Harris.

13 JUDGE BENN: -- we didn't introduce you at
14 first -- I'm sorry, did you hear that?

15 MS. DIANE HARRIS: Peoples Gas --

16 JUDGE BENN: Okay.

17 MS. DIANE HARRIS: -- Senior Account Rep.

18 JUDGE BENN: Okay. Thank you.

19 All right. Is there anything else for
20 the record from you, Mr. Bailey?

21 MR. BAILEY: No, your Honor.

22 JUDGE BENN: All right. And anything else from

1 you, Mr. Smith?

2 MR. STEVEN E. SMITH: No.

3 JUDGE BENN: Okay. The parties have agreed to
4 continue this matter for another prehearing
5 conference to December 11th, 2014 at 11:30 a.m. for
6 the possible outcomes of further meter testing.

7 Is there anything else? Okay, then
8 the docket will be continued to December 11th, 2014.
9 Thank you.

10 (Whereupon the matter was
11 continued to December 11, 2014
12 at 11:30 a.m.)

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